

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC.
VYTORIN/ZETIA SECURITIES
LITIGATION

Civil Action No. 08-2177 (DMC)(JAD)

This Document Relates to:

ALL ACTIONS.

**DECLARATION OF JOHN C. KAIRIS IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANTS' MOTION TO PRECLUDE CERTAIN
TESTIMONY BY PROFESSOR GREGG A. JARRELL**

JOHN C. KAIRIS, of full age, hereby declares as follows:

1. I, John C. Kairis, am a member of the bars of the States of Delaware and Ohio, the Southern District of Ohio and the District of Delaware, and the Fourth and Sixth Circuits. I have been admitted to appear *pro hac vice* before this Court in the above-captioned action, and I am a Director of the law firm of Grant & Eisenhofer P.A. I am fully familiar with the facts contained herein based upon my personal knowledge.

2. Attached hereto as Exhibits A through J are true and correct copies of the following documents cited in the accompanying Lead Plaintiffs' Memorandum of Law in Opposition to Defendants' Motion to Preclude Certain Testimony by Professor Gregg A. Jarrell:

<u>Exhibit</u>	<u>Description</u>
A	Expert Report of Gregg A. Jarrell in the above-captioned action dated September 15, 2011
B	Order denying the motion of defendant Grant Thornton LLP to

	preclude in its entirety the testimony of Plaintiffs' expert Gregg A. Jarrell in <i>In re Winstar Communications Securities Litigation</i> , No. 01 CV 3014 (S.D.N.Y. Sept. 23, 2009)
C	Rebuttal Expert Report of Gregg A. Jarrell in the above-captioned action dated October 28, 2011
D	Excerpt of the Expert Report of Denise Neumann Martin, Ph.D., in the above-captioned action dated September 15, 2011
E	Document produced by Defendants in the above-captioned action, bearing the Bates number MSP-CIVADV0152402-51, and marked as Plaintiffs' Exhibit 331
F	Excerpt of the Rebuttal Expert Report of Denise Neumann Martin, Ph.D., in the above-captioned action dated October 28, 2011
G	Excerpt of the Transcript of the Deposition of Denise Neumann Martin, Ph.D., dated December 8, 2011
H	Excerpt of the Transcript of the Deposition of Professor Gregg A. Jarrell in the above-captioned action dated November 11, 2011
I	Excerpt of the Transcript of the Deposition of Denise Neumann Martin, Ph.D., dated December 9, 2011
J	Excerpt of the Transcript of the Deposition of Richard Clark in the above-captioned action dated July 19, 2011
K	Document produced by Defendants in the above-captioned action, bearing the Bates number MSP-CIVADS0046206, and marked as Plaintiffs' Exhibit 725.

This declaration is executed in Wilmington, Delaware on February 4, 2013, under penalties of perjury pursuant to the laws of the United States.

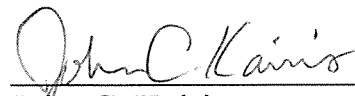

 John C. Kairis

EXHIBIT A
IS REDACTED IN FULL

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE WINSTAR COMMUNICATIONS,
SECURITIES LITIGATION,

This Document Relates To:

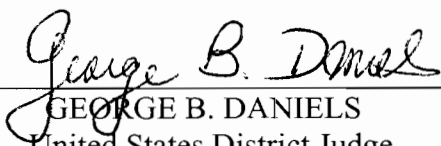
All Actions

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GEORGE B. DANIELS, District Judge:

Defendant Grant Thorton, LLP's motion (Document No. 223) to preclude, in its entirety,
the testimony of plaintiffs' expert, Gregg Jarrell, is denied.

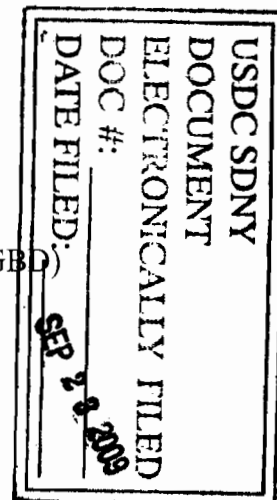
Dated: New York, New York
September 22, 2009

SO ORDERED:



GEORGE B. DANIELS
United States District Judge

ORDER
01 CV 3014 (GBD)



**EXHIBIT C
IS REDACTED IN FULL**

**EXHIBIT D
IS REDACTED IN FULL**

EXHIBIT E
IS REDACTED IN FULL

**EXHIBIT F
IS REDACTED IN FULL**

**EXHIBIT G
IS REDACTED IN FULL**

**EXHIBIT H
IS REDACTED IN FULL**

**EXHIBIT I
IS REDACTED IN FULL**

EXHIBIT J
IS REDACTED IN FULL

**EXHIBIT K
IS REDACTED IN FULL**